

## **KENTUCKY DEPARTMENT OF EDUCATION**

### **STAFF NOTE**

#### **Review Item:**

Report on the evaluation of 40 alternative education programs pursuant to 703 KAR 5:040 (**Monitoring Report from the Center for School Safety under separate cover**)

#### **Applicable Statute or Regulation:**

KRS 158.645; 158.6455; 703 KAR 5:050; 703 KAR 5:070

#### **History/Background:**

***Existing Policy.*** Alternative education programs have been in existence in Kentucky schools for many years. Beginning in 2000, however, there was a new source of funding to school districts through the Kentucky Center for School Safety (KCSS), which resulted in rapid growth in the numbers of alternative education programs in Kentucky's public schools. KCSS provides funds to all public school districts to help establish and maintain safe and healthy learning environments. Since 2000, approximately 80% of KCSS funds distributed to local school districts have been used to create alternative education programs. Of the total 176 public school districts in Kentucky, KCSS funds support alternative education programs in 136 school districts. These alternative programs are known as A5 programs, which are defined as "a district-operated and district-controlled facility...designed to provide services to at-risk populations with unique needs." Additional A5 alternative education programs exist in the remaining 40 school districts supported with local general education funds.

In addition to A5 programs, Kentucky has A6 programs, which are defined as "a district-operated instructional program in a nondistrict-operated institution or school." These programs serve youth who are State Agency Children (SAC). These young people are the responsibility of the Department of Juvenile Justice (DJJ), the Department of Community Based Services (DCBS), and the Department for Mental Health and Mental Retardation Services (DMHMR). These departments operate, fund or contract for services from a variety of programs including residential facilities, group homes and day treatment centers. The education of these youth is the responsibility of the local education agencies where they reside. The Kentucky Educational Collaborative for State Agency Children (KECSAC) provides supplemental funds to these school districts to provide an extended educational school year and a lower teacher-to-student ratio to facilitate the educational needs for these at-risk youth. KECSAC currently has 114 programs operating in 56 school districts. KECSAC conducts monitoring of its programs with each program receiving a minimum of one visit per year.

With the rapid growth of alternative education programs, both the Kentucky Department of Education and the Kentucky Board of Education (KBE) have realized the need for

increased attention regarding oversight of these programs. In 2002, the Kentucky Board of Education (KBE) reviewed accountability issues related to A5 and A6 schools (in 2002, they were still referred to as schools). As a result of this KBE meeting, decisions were made regarding placement and responsibility of student accountability. At the February 2004 KBE meeting, the regulation on alternative education services was edited to replace the word “school” with “program” when referring to educational services offered in facilities other than A1 schools. Thereafter, these educational services were considered programs instead of schools.

During the February 2004 KBE meeting, questions were raised about the quality of educational services received by students in alternative education programs. As a result, 703 KAR 5:040 (2) was created to implement a process whereby information would be regularly presented to the KBE on the quality of services provided in A5 and A6 settings (See the next paragraph for more information on this regulation.). KECSAC provides an annual report to the KBE on the quality of their programs including a review of academic performance of the students served in these A6 programs. The A5 programs, unlike the A6, have no monitoring system or oversight to ensure equitable educational services are provided.

703 KAR 5:040 (2) states “The Commissioner of Education shall appoint a committee of persons consisting of staff of the Kentucky Department of Education, local school districts in which A3, A5, and A6 programs are located, and other state agencies affecting the delivery of services in A3, A5, and A6 programs for purposes of reviewing the performance of these programs in the aggregate and, if appropriate, with disaggregations of the data. Based on this review, this committee shall report to the Commissioner and the Kentucky Board of Education within four (4) months of the annual public release of state assessment and accountability data. This report shall include findings on

- quality of educational and other services,
- adequacy of academic performance growth,
- nonacademic growth,
- changes in population served by these programs, and
- recommended actions needed to improve conditions in and performance of these programs.”

At the December 2005 KBE meeting, a directive was given to the Kentucky Department of Education (KDE) to begin an initial monitoring process involving 40 alternative education programs (A5). The goal of this monitoring would be to provide a “snapshot” of the services provided in these educational settings. The A5 programs to be monitored would be chosen randomly to represent small and large programs and rural and urban programs, reflecting different geographical regions of Kentucky. The KBE approved a plan to contract with the Kentucky Center for School Safety to provide the monitoring services. A summary of the findings from the monitoring will be provided to KBE members under separate cover from the Agenda Book prior to the June meeting. Additionally, representatives from the Kentucky Center for School Safety will provide a presentation during the June KBE meeting on the findings of the monitoring of the 40 A5 programs.

An additional suggestion was made by KBE during the December meeting for KDE to contract with an outside agency or organization for the purpose of acquiring more information on the services provided in all A5 and A6 programs. As a result of this request, KDE created a Request for Proposal (RFP) for an outside agency to provide an in-depth review of all alternative education programs in Kentucky's schools. Because these programs change frequently and are located in various facilities (in-school programs, separate facilities, juvenile detention centers, etc.) it is expected that each of Kentucky's 176 school districts will require an on-site visit to fully determine the extent of alternative education services. In addition to a comprehensive description of services and facilities in existence, the grantee will provide in-depth information about the students served in these programs. Disaggregated information on the numbers and types of students served will be provided. A qualitative analysis of the current state of alternative education in Kentucky will be required, in addition to recommendations, both short-term and long-term, for the improvement of services. Finally, an examination of alternative education services nationwide will be provided in order to determine Kentucky's status in regard to providing quality services to students in these programs.

This project will begin in July 2006 and will conclude approximately one year later. A final report will be provided by the grantee and submitted to KDE and KBE members. A presentation on findings and suggestions for improvement will be provided to KBE in the fall of 2007.

**Impact on Getting to Proficiency:**

Increasing numbers of Kentucky students are receiving educational services in alternative education programs. As these numbers of students grow, the quality of education services they receive in these programs becomes increasingly important in regard to reaching proficiency. It is imperative that a process be implemented to ensure these students are receiving equitable educational services.

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**Deputy Commissioner**

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**Commissioner of Education**

**Date:**

June 2006